

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**ROOSEVELT DEXTER ARMSTEAD,**

**PETITIONER**

**V.**

**CIVIL NO. 4:04CV398-P-B**

**DR. DONALD CABANA, et al.,**

**RESPONDENTS**

**ORDER DENYING PETITIONER'S MOTION FOR RELIEF FROM JUDGMENT**

This cause is before the court on petitioner's motion for reconsideration of the dismissal of his habeas corpus petition which had been filed pursuant to 28 U.S.C. § 2254. The court will treat this as a motion for relief from judgment, pursuant to Rule 60(b), Federal Rules of Civil Procedure. The court has considered the motion, the Opinion of the Court dismissing the petition, as well as the applicable law and is unpersuaded that the dismissal was incorrect in law or fact. Accordingly, the motion for relief from judgment is hereby **denied**.

**SO ORDERED**, this the 22<sup>nd</sup> day of November, 2006.

/s/ W. Allen Pepper, Jr.  
W. ALLEN PEPPER, JR.  
UNITED STATES DISTRICT JUDGE